

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

7TH & ALLEN EQUITIES,)
Plaintiff) Civil Action
vs.) No. 11-cv-01567
HARTFORD CASUALTY INSURANCE)
COMPANY,)
Defendant)

O R D E R

NOW, this 20th day of June, 2012, upon consideration of Plaintiff's Motion to Amend Rule 16 Scheduling Order and Extend Discovery, which motion was filed June 8, 2012 (Document 36-1); it appearing the within motion is unopposed¹,

IT IS ORDERED that Plaintiff's Motion to Amend Rule 16 Scheduling Order and Extend Discovery is granted.²

¹ The within motion indicates that defendant consents to plaintiff's request to extend discovery on the condition that defendant be provided the same extension to file his replies to plaintiff's experts and the time to file a summary judgment motion.

² On November 3, 2011 I conducted a Rule 16 Status Conference by telephone conference call in the within matter. At the status conference, counsel for each party agreed that the case be attached for trial commencing November 19, 2012 and agreed to numerous interrelated pretrial deadlines. On February 29, 2012 trial was rescheduled from November 19, 2012 to November 5, 2012.

Plaintiff seeks a 62-day extension (from May 9, 2012 until July 10, 2012) to provide defense counsel with plaintiff's expert reports. Plaintiff avers that the parties encountered logistical difficulties meeting the May 9, 2012 deadline because counsel for defendant began working at a different law firm.

Plaintiff's requested extension will not affect the November 5, 2012 trial date. Therefore, I grant plaintiff's motion and give plaintiff until July 10, 2012 to provide defense counsel with plaintiff's expert reports. I likewise extend defendant's deadline to provide plaintiff's counsel with defendant's expert reports by 55 days, from May 26, 2012 until July 20, 2012.

(Footnote 2 continued):

IT IS FURTHER ORDERED that plaintiff shall be precluded from offering the testimony of expert witnesses at trial unless on or before July 10, 2012 plaintiff provides defense counsel with the name, address, curriculum vitae and a signed, written expert report containing the findings, conclusions and opinions, of each such witness.

IT IS FURTHER ORDERED that defendant shall be precluded from offering the testimony of expert witnesses at trial unless on or before July 20, 2012 defendant provides plaintiff's counsel with the name, address, curriculum vitae and a signed, written expert report containing the findings, conclusions and opinions, of each such witness.

IT IS FURTHER ORDERED that all dispositive motions, including motions for summary judgment, accompanied by a brief, shall be filed and served on or before July 24, 2012.

IT IS FURTHER ORDERED that in all other respects not inconsistent with this Order, the November 3, 2011 Rule 16 Status Conference Order of the undersigned shall remain in full force and effect, including the November 5, 2012 trial attachment.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge

(Continuation of footnote 2):

I also extend the deadline for the parties to file dispositive motions by 29 days from June 25, 2012 until July 24, 2012. I provide shorter extensions to defendant's expert report deadline and the dispositive motion deadline in order to ensure the court has sufficient time to dispose of a motion for summary judgment prior to trial.